



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Eric P. ORGERON, et al.

DATE: June 15, 2001

SERIAL NO.: 09/779,169

GROUP ART UNIT:

FILED: 8 February 2001

EXAMINER:

FOR: "Fishing Lure"

ATTORNEY DOCKET NO.: A99274US (98062.3)

* * * * *

**PRELIMINARY AMENDMENT AND
RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

This is an amendment and response to the notice mailed from the U.S. Patent Office on March 15, 2001 in the above-referenced application.

AMENDMENT

Please amend the application as follows:

IN THE CLAIMS:

Please amend the claims to read as follows:

(Claims 1-8 have been cancelled).

--9. Apparatus for making a sound similar to the slapping or clicking noise that a live shrimp makes when the tail section of the live shrimp makes contact with its body section, comprising:

a float slidingly received on a rod;

a first magnet attached to the float;

a second magnet attached to the rod, the first and second magnets being aligned such that they repel one another.--

(Claims 10-17 have been cancelled).

--18. A fishing lure comprising:

an artificial bait body having a tail; and

an opening in the artificial bait body for allowing a line to pass from the tail of the artificial bait body through the opening.

19. (amended) The fishing lure of claim 18, further comprising:

a line passing from the tail of the artificial bait body through the opening.

20. (amended) The fishing lure of claim 18, wherein:

the artificial bait body has a head;

the opening in the artificial bait body is positioned forward of the tail, generally in between the head and the tail;

the lure further comprises a flexible fishing line or leader having first and second ends, a first end being attached to the tail of the artificial bait body, the line or leader passing through the opening, wherein:

the second end of the line or leader is connected to a fishing reel or to a length of fishing line wound upon the reel.

21. The fishing lure of claim 20, wherein:

the line is a section of leader that has first and second ends, a first end attached to the tail, and the second end defining a point of attachment for attaching a user's rod/reel thereto.

22. (amended) The fishing lure of claim 18, further comprising a hook attached to the lure body.

23. (amended) The fishing lure of claim 18, further comprising a hook attached to the line.

24. (amended) A method of fishing using the lure of claim 18 to catch fish.--

(Claim 25 has been cancelled).

The following claims have been added:

--26. (new) The fishing lure of claim 18, wherein the artificial bait body is an artificial shrimp body and there is a tube means in the opening for allowing a line to pass from the tail of the artificial shrimp body through the tube means.

27. (new) The fishing lure of claim 26, further comprising:

a line passing from the tail of the artificial shrimp body through the tube means.

28. (new) The fishing lure of claim 27, further comprising sound-making means for making a sound similar to the slapping or clicking noise that a live shrimp makes when the tail section of the live shrimp makes contact with its body section.

29. (new) The fishing lure of claim 28, wherein the sound-making means comprises a float having a magnet thereon.

30. (new) The fishing lure of claim 28, wherein the sound-making means comprises:

a float means slidingly received on a rod means;

a first magnet attached to the float means;

a second magnet attached to the rod means, the first and second magnets being aligned such that they repel one another.

31. (new) The fishing lure of claim 18, wherein the artificial bait body is an artificial shrimp body and there is a tube in the opening for allowing a line to pass from the tail of the artificial shrimp body through the tube.

32. (new) The fishing lure of claim 31, further comprising:
a line passing from the tail of the artificial shrimp body through the tube.

33. (new) The fishing lure of claim 18, wherein the artificial bait body is an artificial shrimp body .

34. (new) The fishing lure of claim 33, further comprising:
a line passing from the tail of the artificial shrimp body through the opening.

35. (new) The fishing lure of claim 34, further comprising:
a sound-making means for making a sound similar to the slapping or clicking noise that a live shrimp makes when the tail section of the live shrimp makes contact with its body section.

36. (new) The fishing lure of claim 35, wherein the sound-making means comprises a float having a magnet thereon.

37. (new) The fishing lure of claim 35, wherein the sound-making means comprises:
a float means slidingly received on a rod means;
a first magnet attached to the float means;
a second magnet attached to the rod means, the first and second magnets being aligned such that they repel one another.

38. (new) The fishing lure of claim 35, wherein the sound-making means comprises:
a float slidingly received on a rod means;
a first magnet attached to the float;
a second magnet attached to the rod means, the first and second magnets being aligned such that they repel one another.

39. (new) The fishing lure of claim 18, further comprising:
a tube means in the opening for allowing a line to pass from the tail of the artificial bait

body through the tube means.

40. (new) The fishing lure of claim 39, further comprising:

a line passing from the tail of the artificial bait body through the tube means--

REMARKS

The claims have been amended to reduce claims fees. For convenience in prosecution, all claims are repeated herein, even those which are not amended herein. Two sets of claims are included, one set (attached) showing the changes made in this response and one clean set (set out above). No new matter has been added to the application.

Enclosed are the following:

1. Declaration And Power Of Attorney;
2. \$447.00 Filing Fee (Applicants qualify for small entity status);
3. Copy of Formalities letter;

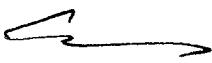
Applicant respectfully submits that the application is in condition for allowance. A Notice of Allowance is hereby respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicants respectfully petition the Commissioner for a one-month extension of time - please charge the \$55 fee due to Deposit Account No. 50-0694. Applicants respectfully petition the Commissioner for any other extension of time necessary to render this paper timely.

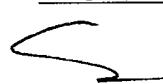
Please charge any fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,


Seth M. Nehrbass, Reg. No. 31,281
Charles C. Garvey, Jr., Reg. No. 27,889
Gregory C. Smith, Reg. No. 29,441
Stephen R. Doody, Reg. No. 29,062
H. Roy Berkenstock, Reg. No. 24,719
Brett A. North, Reg. No. 42,040
GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.
PTO Customer No.: 22920
3838 N. Causeway Blvd., Suite 3290
Metairie, LA 70002
Tel.: (504) 835-2000
Fax: 504-835-2070
e-mail: IPLNO@AOL.COM
www.neworleanspatents.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 15th day of June, 2001.


Seth M. Nehrbass, Reg. No. 31,281

P:\Seth\98062.3.prel.amen.wpd

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ORGERON, Eric, P. et al.

DATE: 15 June 2001

SERIAL NO.: 09/779,169

GROUP ART UNIT:

FILED: 8 February 2001

EXAMINER:

FOR: "Fishing Lure"

ATTORNEY DOCKET NO.: A99274US (98062.3)

* * * * *

Copy of claims showing changes

Set out below is a copy of claims showing changes made in this amendment, with added matter underlined and omitted matter in brackets:

Please cancel claims 1-8 without prejudice.

--9. Apparatus for making a sound similar to the slapping or clicking noise that a live shrimp makes when the tail section of the live shrimp makes contact with its body section, comprising:

a float slidingly received on a rod;

a first magnet attached to the float;

a second magnet attached to the rod, the first and second magnets being aligned such that they repel one another.--

Please cancel claims 10-17 without prejudice.

--18. A fishing lure comprising:

an artificial bait body having a tail; and

an opening in the artificial bait body for allowing a line to pass from the tail of the artificial bait body through the opening.

19. (amended) The [A] fishing lure of claim 18, further comprising:

[an artificial bait body having a tail;

an opening in the artificial bait body;]

a line passing from the tail of the artificial bait body through the opening.

20. (amended) The [A] fishing lure of claim 18, wherein[comprising]:

[an] the artificial bait body [having] has a head[and a tail];

[an] the opening in the artificial bait body is positioned forward of the tail, generally in between the head and the tail;

the lure further comprises a flexible fishing line or leader having first and second ends, a first end being attached to the tail of the artificial bait body, the line or leader passing through the opening, wherein:

the second end of the line or leader is connected to a fishing reel or to a length of fishing line wound upon the reel.

21. The fishing lure of claim 20, wherein:

the line is a section of leader that has first and second ends, a first end attached to the tail, and the second end defining a point of attachment for attaching a user's rod/reel thereto.

22. (amended) The fishing lure of [any one of claims 1-7 or 10-21] claim 18, further comprising a hook attached to the lure body.

23. (amended) The fishing lure of [any one of claims 1-7 or 10-21] claim 18, further comprising a hook attached to the line.

24. (amended) A method of fishing using the lure of [any prior] claim 18 to catch fish.--

Please cancel claim 25 without prejudice.

Please add the following claims:

--26. (new) The fishing lure of claim 18, wherein the artificial bait body is an artificial shrimp body and there is a tube means in the opening for allowing a line to pass from the tail of the artificial shrimp body through the tube means.

27. (new) The fishing lure of claim 26, further comprising:

a line passing from the tail of the artificial shrimp body through the tube means.

28. (new) The fishing lure of claim 27, further comprising sound-making means for making a sound similar to the slapping or clicking noise that a live shrimp makes when the tail section of the live shrimp makes contact with its body section.

29. (new) The fishing lure of claim 28, wherein the sound-making means comprises a float having a magnet thereon.

30. (new) The fishing lure of claim 28, wherein the sound-making means comprises:

a float means slidingly received on a rod means;

a first magnet attached to the float means;

a second magnet attached to the rod means, the first and second magnets being aligned such that they repel one another.

31. (new) The fishing lure of claim 18, wherein the artificial bait body is an artificial shrimp body and there is a tube in the opening for allowing a line to pass from the tail of the artificial shrimp body through the tube.

32. (new) The fishing lure of claim 31, further comprising:

a line passing from the tail of the artificial shrimp body through the tube.

33. (new) The fishing lure of claim 18, wherein the artificial bait body is an artificial shrimp body .

34. (new) The fishing lure of claim 33, further comprising:

a line passing from the tail of the artificial shrimp body through the opening.

35. (new) The fishing lure of claim 34, further comprising:

a sound-making means for making a sound similar to the slapping or clicking noise that a live shrimp makes when the tail section of the live shrimp makes contact with its body section.

36. (new) The fishing lure of claim 35, wherein the sound-making means comprises a float having a magnet thereon.

37. (new) The fishing lure of claim 35, wherein the sound-making means comprises:

a float means slidingly received on a rod means;

a first magnet attached to the float means;

a second magnet attached to the rod means, the first and second magnets being aligned such that they repel one another.

38. (new) The fishing lure of claim 35, wherein the sound-making means comprises:

a float slidingly received on a rod means;

a first magnet attached to the float;

a second magnet attached to the rod means, the first and second magnets being aligned such that they repel one another.

39. (new) The fishing lure of claim 18, further comprising:

a tube means in the opening for allowing a line to pass from the tail of the artificial bait body through the tube means.

40. (new) The fishing lure of claim 39, further comprising:
a line passing from the tail of the artificial bait body through the tube means.--

P:\Seth\98062.3.prel.amen.wpd